THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO.13803 OF 2002

ORDER:

The petitioner seeks to issue a writ of mandamus declaring the action of the respondent in not appointing him as Driver Grade-II in spite of his provisional selection by a letter dated 8.8.2000 (vide proceedings No.D2/684(3) 99-HCR, dated 4.8.2000) and even after verification, as illegal and arbitrary and sought a direction to the respondent to appoint him as driver Grade-II in respondent-Corporation.

The case of the petitioner is that the respondent invited applications for recruitment to the post of driver Grade-II in the month of December,1999 and he applied for the same and the petitioner was provisionally selected as driver Grade-II and vide letter dated 8.8.2000 he was advised to submit his driving licence, certificates of educational qualifications, proof of date of birth, community certificate etc. The petitioner produced all the necessary certificates including the driving licence. The grievance of the petitioner is that though the driving license produced by the petitioner is found to be genuine, the respondent without any justification whatsoever did not give any appointment. This Court time and again granted interim direction to complete the cross verification of the original driving licence of the petitioner.

It was contended by the petitioner that in spite of the fact that he was provisionally selected for the post of driver Grade-II, the respondent failed to take appropriate action for his appointment.

The learned counsel appearing for the respondent submitted that in pursuance of the interim directions of this Court, the driving licence No.1062/HC/91 of the petitioner was sent to the licensing authority (Assistant Director, Vigilance and Security, Hyderabad Zone) and the said authority after verification sent letter No.P3/825(1)-V & SO (HZ) to the Deputy Chief Personnel Manager to the effect that the driving licence of the petitioner herein is genuine. The said letter reads as under:

" With reference to the letter cited, I have to state that the driving license

No1062/HC/91 of Sri V.Satyanarayana was sent to this office for re-verification of its genuineness. On referring the driving license to the Licensing Authority, Hyderabad South Zone, it was informed by the Licensing Authority, South Zone that the D.L.No.2118/HS/93OD was issued by Licensing Authority, Hyderabad (Central Zone) in favour of the said candidate to drive L.M.V., and subsequently, H.G.V. and H.P.V. endorsement has been made on 11.3.1993 in licensing Authority, South Zone Office, as per computer records, vide No.Driving Licence Record No.AP01213200/003.

In view of the report issued by the Licensing Authority, South Zone, the said driving license is considered to be genuine. Original report issued by Licensing Authority, South Zone was already sent to your office along with driving licence through this office letter no. even dated 21.2.2004."

In view of the fact that the Licensing Authority, South Zone found the driving licence produced by the petitioner as genuine, there is no justification on the part of the respondent in not giving appointment to the petitioner as driver Grade-II. Accordingly, the respondent is directed to appoint the petitioner as driver Grade-II by verifying the caste certificate and other certificates produced by the petitioner within four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly, allowed. No costs.

17.11.2004.

Note:

Issue c.c. by Monday (i.e.,22.11.2004).

B/o.

mdaa.